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JC04 Rec'd PCT/PTO 11 OCT 2005

ADV0001-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

EBERHARD SCHMID ET AL.

Serial No.: 10/520,527

Filed: JANUARY 7, 2005

For: ALLOY, ESPECIALLY FOR  
SPECTACLE FRAMES

Art Unit: Unknown

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE DO/EO/US**

Box: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 In The  
United States Designated/Elected Office (DO/EO/US) mailed August 12, 2005, copy attached,  
applicants are submitting herewith:

- ☒ Declaration and Power of Attorney for Patent Application signed by Applicant;
- ☐ \_\_\_\_\_ sheets of drawings in compliance with applicable regulations;
- ☐ Other: \_\_\_\_\_;
- ☐ Check in the amount of \_\_\_\_\_ to cover the required fees for submission of these documents;

10/520527

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Attorney's Docket No.: ADV0001-US  
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☒ The Commissioner is hereby authorized to charge the amount of \$130.00 to Deposit Account 03-3975 to cover the required fees for submission of these documents, and a copy of this authorization is attached.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account 03-3975.


It is respectfully submitted that the application is now complete and it is respectfully requested that the subject application be placed upon the files for examination.

PILLSBURY WINTHROP SHAW PITTMAN LLP  
1650 Tysons Boulevard  
McLean, VA 22102  
Tel: 703/770-7900

Respectfully submitted,

EBERHARD SCHMID ET AL.

Date: October 11, 2005

By:   
Michael Bednarek  
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Document #: 1333428 v.1

10/14/2005 MKAYPAGH 00000123 033975 10520527

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/520,527                  | Eberhard Schmid       | ADV0001-US       |

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/EP03/07458

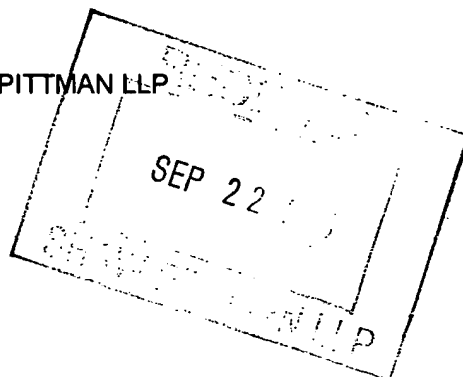
|                 |               |
|-----------------|---------------|
| LA. FILING DATE | PRIORITY DATE |
|-----------------|---------------|

07/10/2003

07/12/2002

28970

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 1650 TYSONS BOULEVARD  
 MCLEAN, VA 22102



CONFIRMATION NO. 9242

371 FORMALITIES LETTER



\*OC000000016619045\*

Date Mailed: 08/12/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/07/2005
- English Translation of the IA filed on 01/07/2005
- Copy of the International Search Report filed on 01/07/2005
- Copy of IPE Report filed on 01/07/2005
- Preliminary Amendments filed on 01/07/2005
- Information Disclosure Statements filed on 01/07/2005
- Oath or Declaration filed on 01/07/2005
- Request for Immediate Examination filed on 01/07/2005
- U.S. Basic National Fees filed on 01/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/520,527                  | PCT/EP03/07458                | ADV0001-US       |

FORM PCT/DO/EO/905 (371 Formalities Notice)